

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

STACY HINNERS, <i>et al.</i> ,	)	Case No. 1:19-CV-2868
	)	
Plaintiffs,	)	Judge J. Philip Calabrese
	)	
v.	)	Magistrate Judge Thomas Parker
	)	
MICHAEL J. O'SHEA, <i>et al.</i> ,	)	
	)	
Defendants.	)	
	)	

**ORDER**

On May 16, 2023, the Court scheduled a case management conference in this matter for July 12, 2023, which amounts to approximately 60 days' notice. (ECF No. 99.) On July 11, 2023, the day before the initial case management conference, Defendant Kevin Koehler moved to excuse his in-person presence at the case management conference on the grounds that he was out of the state or, in the alternative, to continue the conference. (ECF No. 103.) The Court continued the conference to August 17, 2023, a date on which Mr. Koehler through counsel indicated that he was available to attend the case management conference. (ECF No. 105; Notice, July 19, 2023.) Mr. Koehler again moved to excuse his in-person appearance at the case management conference on August 15, 2023, just two days before the conference. (ECF No. 108.) The Court denied Mr. Koehler's request and ordered him to appear. (ECF No. 110.) He did not do so.

On August 17, 2023, the Court ordered Mr. Koehler to show cause why he should not be sanctioned under Rule 16(f) of the Federal Rules of Civil Procedure for

failure to comply with the Court's Orders dated July 11, 2023 (ECF No. 105) and August 15, 2023 (ECF No. 110). (*See* ECF No. 111). Also, the Court ordered Mr. Koehler to submit a brief addressing the appropriate sanction for his noncompliance. (*Id.*) Plaintiff submitted a brief directed to the issue as well (ECF No. 116), which the Court has reviewed and considered.

Based on the Court's review of Mr. Koehler's response to the Show Cause Order (ECF No. 114), it is apparent that Mr. Koehler now appreciates the seriousness of failing to comply with the Order of a federal court and the burden and expense it has created for all parties, their counsel, and the Court. Mr. Koehler has acknowledged his mistake and, since the Show Cause Order, has demonstrated a general respect for the law and for the Court. For these reasons, the Court strongly admonishes Mr. Koehler against such conduct in the future in any court, withdraws the show-cause order (ECF No. 111; ECF No. 112 (amended)), and cancels the hearing on this matter scheduled for November 28, 2023. (Docket Entry, October 12, 2023.) Therefore, the motion to excuse attendance at the hearing is moot. (ECF No. 117.)

**SO ORDERED.**

Dated: November 24, 2023

A handwritten signature in black ink, appearing to read 'J. Philip Calabrese', written over a horizontal line.

J. Philip Calabrese  
United States District Judge  
Northern District of Ohio